

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ALEX ALFONSO SALAVERRIA,

Plaintiff,

v.

NEVADA STATE DEPARTMENT OF
JUSTICE, et al.,

Defendants.

Case No.: 2:24-cv-00353-JAD-NJK

ORDER

(Docket No. 1)

On February 16, 2024, *pro se* plaintiff Alex Alfonso Salaverria submitted a complaint and an application to proceed *in forma pauperis*. Docket Nos. 1, 1-1. Plaintiff's application to proceed *in forma pauperis* is incomplete because Plaintiff failed to describe the source of money for his gifts or inheritances in question 3. Docket No. 1 at 1. Plaintiff also failed to state the amount that he received from these sources and the amount that he expects to receive in the future. *Id.* Additionally, Plaintiff failed to fully answer question 5,¹ failed to answer question 6, and appears to have written over the other questions that the Court's standard form requires. *Id.* at 2.

The United States District Court for the District of Nevada must collect filing fees from parties initiating civil actions. 28 U.S.C. § 1914(a). The fee for filing a civil-rights action is \$405, which includes the \$350 filing fee and the \$55 administrative fee. *See* 28 U.S.C. § 1914(b). "Any person who is unable to prepay the fees in a civil case may apply to the court for leave to proceed *in forma pauperis*." LSR 1-1.

Since Plaintiff has failed to submit a complete application to proceed *in forma pauperis*, the Court cannot determine whether he qualifies to proceed without paying the \$405 fee.

¹ Plaintiff appears to use question 5 to argue part of his case. Docket No. 1 at 2. The Court needs to make a determination as to whether Plaintiff financially qualifies to proceed *in forma pauperis*. Therefore, Plaintiff must answer the questions as written, without trying to argue his case, so that the Court can make a proper determination.

1 Accordingly, for the reasons stated above,

2 IT IS ORDERED that Plaintiff's application to proceed *in forma pauperis*, Docket No. 1,
3 is **DENIED** without prejudice.

4 IT IS FURTHER ORDERED that, no later than **March 21, 2024**, Plaintiff must either pay
5 the full \$405 filing fee or file a new fully complete application to proceed *in forma pauperis*.

6 IT IS FURTHER ORDERED that, if Plaintiff fails to timely comply with this order, this
7 action will be subject to dismissal without prejudice. A dismissal without prejudice allows
8 Plaintiff to refile the case with the Court, under a new case number, when Plaintiff can file a
9 complete application to proceed *in forma pauperis* or pay the required filing fee.

10 The Clerk of the Court is **INSTRUCTED** to send Plaintiff the approved form application
11 to proceed *in forma pauperis* and instructions for the same and retain the complaint, Docket No.
12 1-1, but not file it at this time.

13 IT IS SO ORDERED.

14 DATED: February 21, 2024.

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18 NANCY J. KOPPE
19 UNITED STATES MAGISTRATE JUDGE
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